

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Susai et al.

Application No.: 10/826,268

Filed: April 19, 2004

For: APPARATUS, METHOD AND COMPUTER
PROGRAM PRODUCT FOR GUARANTEED CONTENT
DELIVERY INCORPORATING PUTTING A CLIENT ON-
HOLD BASED ON RESPONSE TIME

Attorney Docket No.: 2006579-0472 (CTX-168CON)

Art Unit: 2456

Confirmation No.: 9408

Examiner: Tran, Jimmy H.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
ACCOMPANYING A REQUEST FOR CONTINUED EXAMINATION**

Dear Examiner Tran:

INTRODUCTORY COMMENTS

A Final Office Action was issued in the referenced application on December 7, 2009 and an Advisory Action was mailed on February 24, 2010 in response to Applicants' Response to Final Office Action of February 8, 2010. The date three months from the date of the final Office Action fell on Sunday, March 8, 2010. In accordance with 37 CFR 1.7(a) and MPEP §706.07(f), Applicants submit that this response is timely filed within the three month period on Monday, March 8, 2010. In view of the remarks set forth below, Applicants respectfully urge reconsideration and withdrawal of the finality of the outstanding rejections.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.